

STATE OF VERMONT
HUMAN SERVICES BOARD

In re)	Fair Hearing No. 18,974
)	
Appeal of)	
)	

INTRODUCTION

The petitioner appeals the decision by the Department of Prevention, Assistance, Transition, and Health Access (PATH) denying her application for General Assistance (GA) benefits. The issue is whether the petitioner is facing a "catastrophic situation" as defined by the pertinent regulations.

FINDINGS OF FACT

1. The petitioner is a single woman who receives Social Security and SSI disability benefits of \$685 a month.
2. The petitioner applied for GA on March 2, 2004 to pay for "personal needs and incidentals". The Department denied her application because it did not find that the petitioner was facing a catastrophic situation as defined in the regulations.
3. At the hearing in this matter held on April 5, 2004, the petitioner alleged that her monthly expenses exceed her income. She did not allege, however, that she is facing an imminent loss of housing, threat to her health, or any other emergency.

4. When she applied for GA the Department referred her to the local community action agency to see if she could obtain the personal items she was seeking through one of that agency's programs. The petitioner opted not to avail herself of this potential source of help.

ORDER

The Department's decision is affirmed.

REASONS

The General Assistance regulations provide that households with income in excess of the Reach Up Financial Assistance (RUFA) maximum can only receive additional financial assistance if they are experiencing a "catastrophic situation". See W.A.M. § 2600 et. seq. The petitioner's income is well in excess of the RUFA payment level for a one-person household. W.A.M. §§ 2244-2249. The GA regulations define catastrophic situations as an emergency medical need, a court-ordered or constructive eviction, the death of a spouse or minor child, or a natural disaster. W.A.M. § 2602. As noted above, the petitioner alleges none of these situations. Moreover, the same regulation requires applicants to "explore . . . all alternatives for addressing the need, such as . . . community resources".

Inasmuch as the Department's decision in this matter was in accord with the above regulations, the Board is bound

by law to affirm it. 3 V.S.A. § 3091(d), Fair Hearing Rule
No. 17.

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